

United States District Court

District of Wyoming

FILED

U.S. DISTRICT COURT
DISTRICT OF WYOMING

Petition for Warrant or Summons for Offender Under Supervision

Case No.: 08-CR-114-D

2019 JUL 25 PM 2:37

STEPHAN J. HARRIS, CLERK
CHEYENNE

Name of Offender: Ryan Ott
 Sentencing Judicial Officer: William F. Downes
 Date of Original Sentence: December 17, 2008
 Original Offense: Felon in Possession of a Firearm
 Original Sentence: 120 months custody followed by 3 years of supervised release
 Type of Supervision: Supervised Release
 Date Supervision Commenced: March 30, 2018
 Date Supervision Modified: January 9, 2018, placing him at a Residential Re-entry Center as public law
 Date Supervision Modified: June 8, 2018, releasing him early from the Residential Re-entry Center
 Date Supervision Modified: September 18, 2018, placing him on a curfew with electronic monitoring for 30 days
 Assistant U.S. Attorney: Stuart S. Healy, III
 Defense Attorney: David Weiss

Petitioning the Court

To issue a warrant
 To issue a summons
 To sign and have filed an amended petition

The probation officer believes the offender has violated the following condition(s) of supervision:

(See attached)

U.S. Probation Officer Recommendation:

The term of supervision should be
 revoked.
 extended for years, for a total of years.

The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Jason Volz

Jason Volz
U.S. Probation Officer

July 25, 2019

Date

Approved by: /s/ Mary Hunsicker

Mary Hunsicker
Supervisory U.S. Probation Officer

Petition for Warrant

Ryan Ott

THE COURT ORDERS:

- No Action
- The issuance of a warrant
- The issuance of a summons
- Other

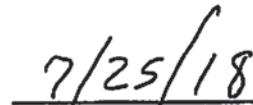
THE COURT FURTHER ORDERS:

- Counsel to file Notice of Intent to Contest the Results of the Urinalysis Testing within two days of the Initial Appearance on this Petition.



Scott W. Skavdahl

Chief U.S. District Judge



7/25/18

Date

Violation No. 1

Standard Condition 7 The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.

Nature of Noncompliance

On or about February 22, 2019, the defendant consumed Marijuana. This is evidenced by a confirmed positive urinalysis test.

U.S. Probation Officer's Action

The defendant's urinalysis testing was increased.

Violation No. 2

Special Condition The defendant shall not use or possess alcohol, nor shall he enter bars or lounges.

Nature of Noncompliance

On or about June 6, 2019, the defendant consumed alcohol. This is evidence by a confirmed positive ETG-Alcohol test. This test was collected by Wyoming Department of Corrections, Agent Kayleigh McConnell.

U.S. Probation Officer's Action

Petition for a Warrant was submitted to the Court.

Violation No. 3

Standard Condition The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons.

Nature of Noncompliance

On or about July 16, 2019, the defendant stopped reporting to his job at TCRI in Gillette, WY.

U.S. Probation Officer's Action

Petition for a Warrant was submitted to the Court.

Violation No. 4

Standard Condition 2 The defendant shall report to the probation officer as directed by the Court or probation officer and shall submit a truthful and complete written report within the first five days of each month.

Nature of Noncompliance

On July 22, 2019, the defendant failed to attend his scheduled telephone meeting with his United States Probation Officer (USPO) and his whereabouts are unknown at this time.

Petition for Warrant
Ryan Ott

U.S. Probation Officer's Action

Petition for a Warrant was submitted to the Court.

Penalties for Supervised Release Violations:

Statutory Penalties: According to 18 U.S.C. § 3583(e)(3), the Court may revoke a term of supervised release and require the person to serve in prison all or part of the term of supervised release authorized by statute for the offense that resulted in such term of supervised release without credit for time previously served on post-release supervision. The maximum revocation term of custody for a Class C felony is 2 years.

Pursuant to 18 U.S.C. § 3583(h), if supervision is revoked and the defendant is sentenced to a term of imprisonment, the Court may sentence the defendant to an additional term of supervised release. The length of such a term of supervised release shall not exceed the term of supervised release authorized by statute for the original offense, less any term of imprisonment imposed upon revocation of supervised release.

Guideline Penalties: In the case of revocation of supervised release, the applicable term of imprisonment is found in the Sentencing Guideline Table under 7B1.4(a). This section states that for Grade C Violations with a Criminal History Category of V, and where the defendant was on supervised release as a result of a sentence for a Class C felony, the applicable imprisonment range is 7-13 months.

Pursuant to U.S.S.G. § 7B1.3(g)(2), the term should not exceed the original term of supervised release authorized by statute less any term of imprisonment imposed upon revocation.